



Entered on Docket
August 26, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Tenth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Whole or In Part Upon
Investment In The Eagle Meadows Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Tenth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Eagle Meadows Loan." ("Eagle Meadows Loan") [DE 8569] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Eagle Meadows Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8569] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Eagle Meadows Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

14 3993 Howard Hughes Parkway, Ste. 600

15 Las Vegas, Nevada 89169-5996

16 Telephone: (702) 949-8320

17 Facsimile: (702) 949-8321

18 *Attorneys for USACM Liquidating Trust*

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Eagle Meadows
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Eagle Meadows Development Loan
10725-01633	12/8/2006	Philip Higerd Family Trust Dtd 5/30/03	C/O Philip C Higerd Trustee Po Box 2535 Mammoth Lakes, CA 93546-2535	250,000.00	200,000.00
10725-02097	1/11/2007	RGF Revocable Trust Robert H & Lynn R Perlman Trust Dated 9/17/92	Robert G Fuller Tee 5172 English Daisy Way Las Vegas, NV 89142	487,047.24	50,000.00
10725-00245	9/26/2006		C/O Robert H & Lynn R Perlman Ttees 2877 Paradise Rd Unit 3501 Las Vegas, NV 89109-5278	1,187,000.00	50,000.00
10725-02090	1/11/2007	Robert William Ulm IRA	Pensco Trust Company Custodian 414 Morning Glory Rd St Marys, GA 31558	1,415,506.00	50,000.00
10725-02149	1/12/2007	Schnitzer Living Trust Dtd 10/24/91	Arthur F & Linn S Schnitzer Ttees 20155 NE 38Th Ct, #1604 Aventura, FL 33180	3,549,806.80	100,000.00
10725-00528	10/10/2006	Sonnenklar, Herbert & Norma R	2501 Poinciana Dr Weston, FL 33327-1415	170,789.00	75,000.00
10725-01893	1/8/2007	Stevenson Pension Trust Dtd 1/7/94	C/O Bert A Stevenson Trustee 10 Pine Ln Lakeside, OR 97449-8664	Unknown	Unknown
10725-01894	1/8/2007	Stevenson, Bert	500 N Estrella Pkwy B2-405 Goodyear, AZ 85338	1,101,205.82	222,500.00
10725-01969	1/10/2007	Terry Markwell Profit Sharing Plan & Trust	Terry Markwell Tee 12765 Silver Wolf Rd Reno NV 89511	807,706.42	75,000.00
10725-00623	10/17/2006	Thibault, Gary A & Sandra C	4525 Dawn Peak St Las Vegas, NV 89129-3235	105,074.00	492.00

EXHIBIT A